

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 020431.0771

In re Application of:

RANJIT N. NOTANI, ET AL.

Serial No. **09/841,320**

Filed: **23 APRIL 2001**

For: **EXTREME CAPACITY MANAGEMENT
IN AN ELECTRONIC MARKETPLACE
ENVIRONMENT**

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Examiner:

PIERRE E. ELISCA

Art Unit: **3621**

Confirmation No.: **5982**

**SECOND REQUEST FOR CONSIDERATION OF AN
INFORMATION DISCLOSURE STATEMENT TIMELY FILED**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir/Madam:

For at least the reasons set forth herein, ***it is respectfully requested that this Second Request for Consideration of an Information Disclosure Statement Timely Filed be promptly forwarded to Examiner Pierre E. Elisca*** for confirmation that Reference "M" listed on the PTO-1449 form attached to the information Disclosure Statement filed 7 March 2002 and again attached to the Request for Consideration of an Information Disclosure Statement Timely Filed mailed on 16 February 2005.

REMARKS:

On 7 March 2002, the Applicants filed an Information Disclosure Statement with PTO-1449 form (three (3) pages) attached, listing the references submitted for consideration. Copies of all references were submitted to the U.S. Patent and Trademark Office on 7 March 2002 and are available on the U.S. Patent and Trademark Office's PAIR system.

The Information Disclosure Statement was mailed to the U.S. Patent and Trademark Office on 7 March 2002 as shown on the enclosed copy of the date-stamped return postcard.

In addition, on 16 February 2005, the Applicants filed a Request for Consideration of an Information Disclosure Statement Timely Filed including a copy of the Information Disclosure Statement filed 7 March 2002 with the PTO-1449 form and a copy of the return postcard showing date stamp of 7 March 2002.

A Notice of Allowance for the subject Application was mailed on 28 January 2008. However, Examiner Pierre E. Elisca has not returned a copy of the PTO-1449 form indicating consideration of Reference "M" cited in the Information Disclosure Statement filed 7 March 2002.

Accordingly, the Applicants respectfully request confirmation of consideration of the references on the timely filed Information Disclosure Statement, filed 7 March 2002. ***Examiner Pierre E. Elisca is respectfully requested to initial Reference "M" listed on the PTO-1449 form to show that it was appropriately considered during the examination of the subject Application.***

CONCLUSION:

Although the Applicants believe no fees are deemed to be necessary; the undersigned hereby authorizes the Director to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 500777**. If an extension of time is necessary for allowing this Response to be timely filed, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

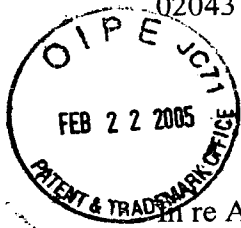
Respectfully submitted,

21 February 2008
Date

/Steven J. Laureanti/signed
Steven J. Laureanti, Registration No. 50,274

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CUSTOMER NO. 53184



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ranjit N. Notani, et al.
Serial No.: 09/841,320
Date Filed: April 23, 2001
Title: Extreme Capacity Management in an Electronic Marketplace
 Environment

Honorable Assistant Commissioner
for Patents
Washington, DC 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that these references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. No representation is made that a search has been made, that these references are material to the patentability of the present application, or that these references qualify as prior art.

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(b).

Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty days prior to the filing of this Information Disclosure Statement.

Although Applicants believe no fee is due, the Commissioner is hereby authorized to charge any fee to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.



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CWK/bt

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Date: 3/7/02